

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2458 Session of
2022

INTRODUCED BY WHITE, GREINER, GROVE, HAMM, HENNESSEY, HERSHEY,
KAIL, M. MACKENZIE, R. MACKENZIE, MILLARD, MIZGORSKI,
NEILSON, PICKETT, ROTHMAN, RYAN, SAYLOR, SMITH, STRUZZI,
ARMANINI, ROWE AND FARRY, MARCH 24, 2022

AS AMENDED ON SECOND CONSIDERATION, HOUSE OF REPRESENTATIVES,
APRIL 12, 2022

AN ACT

1 Establishing the Philadelphia LNG Export Task Force; and
2 providing for duties of task force.

3 The General Assembly of the Commonwealth of Pennsylvania
4 hereby enacts as follows:

5 Section 1. Short title.

6 This act shall be known and may be cited as the Philadelphia
7 LNG Export Task Force Act.

8 Section 2. Findings and declarations.

9 The General Assembly finds and declares that due to Russia's
10 invasion of Ukraine on February 24, 2022, it is essential for
11 this Commonwealth to have the means to export liquefied natural
12 gas to other countries to reduce their reliance on Russian
13 energy.

14 Section 3. Definitions.

15 The following words and phrases when used in this act shall
16 have the meanings given to them in this section unless the

1 context clearly indicates otherwise:

2 "LNG." Liquefied natural gas.

3 "Task force." The Philadelphia LNG Export Task Force
4 established under section 4.

5 Section 4. Establishment of task force.

6 The Philadelphia LNG Export Task Force is established for the
7 purposes specified under this act.

8 Section 5. Composition and meetings of task force.

9 (a) Composition.--The task force shall be comprised of the
10 following members:

11 (1) The Secretary of Environmental Protection or a
12 designee, who shall be an employee of the Department of
13 Environmental Protection APPOINTED BY THE SECRETARY OF <--
14 ENVIRONMENTAL PROTECTION.

15 (2) The Chairman of the Pennsylvania Public Utility
16 Commission or a designee, who shall be appointed by the
17 Chairman of the Pennsylvania Public Utility Commission.

18 (3) THE SECRETARY OF COMMUNITY AND ECONOMIC DEVELOPMENT <--
19 OR A DESIGNEE, WHO SHALL BE AN EMPLOYEE OF THE DEPARTMENT OF
20 COMMUNITY AND ECONOMIC DEVELOPMENT APPOINTED BY THE SECRETARY
21 OF COMMUNITY AND ECONOMIC DEVELOPMENT.

22 (4) THE SECRETARY OF TRANSPORTATION OR A DESIGNEE, WHO
23 SHALL BE AN EMPLOYEE OF THE DEPARTMENT OF TRANSPORTATION
24 APPOINTED BY THE SECRETARY OF TRANSPORTATION.

25 (5) THE DIRECTOR OF THE PENNSYLVANIA EMERGENCY
26 MANAGEMENT AGENCY OR A DESIGNEE, WHO SHALL BE AN EMPLOYEE OF
27 THE PENNSYLVANIA EMERGENCY MANAGEMENT AGENCY APPOINTED BY THE
28 DIRECTOR OF THE PENNSYLVANIA EMERGENCY MANAGEMENT AGENCY.

29 ~~(3)~~ (6) Four members of the General Assembly, who shall <--
30 be appointed no later than 21 days after the effective date

1 of this section, as follows:

2 (i) One member shall be appointed by the President
3 pro tempore of the Senate.

4 (ii) One member shall be appointed by the Minority
5 Leader of the Senate.

6 (iii) One member shall be appointed by the Speaker
7 of the House of Representatives.

8 (iv) One member shall be appointed by the Minority
9 Leader of the House of Representatives.

10 (7) THE MAYOR OF PHILADELPHIA OR A DESIGNEE, WHO SHALL <--
11 BE APPOINTED BY THE MAYOR OF PHILADELPHIA.

12 ~~(4) Three~~ (8) TWO representatives of the oil and gas or <--
13 LNG industries, who shall be employees of a company that
14 deals with oil and gas or LNG in this Commonwealth or a trade
15 organization for oil and gas or LNG in this Commonwealth. No
16 later than 21 days after the effective date of this section,
17 the President pro tempore of the Senate and the Speaker of
18 the House of Representatives shall jointly submit a list of
19 at least ~~six~~ FOUR individuals who qualify for appointment to <--
20 the task force under this paragraph to the Governor. The
21 Governor shall appoint the ~~three~~ TWO members under this <--
22 paragraph from the list within 14 days of receipt of the
23 list.

24 ~~(5) One representative of the Port of Philadelphia. No <--~~
25 ~~later than 21 days after the effective date of this section,~~
26 ~~the President pro tempore of the Senate and the Speaker of~~
27 ~~the House of Representatives shall jointly submit a list of~~
28 ~~at least three individuals who qualify for appointment to the~~
29 ~~task force under this paragraph to the Governor. The Governor~~
30 ~~shall appoint the member under this paragraph from the list~~

1 ~~within 14 days of receipt of the list.~~

2 (9) THE EXECUTIVE DIRECTOR OF THE PHILADELPHIA REGIONAL <--
3 PORT AUTHORITY OR A DESIGNEE, WHO SHALL BE AN EMPLOYEE OF THE
4 PHILADELPHIA REGIONAL PORT AUTHORITY.

5 (10) THE CHIEF EXECUTIVE OFFICER OF THE PHILADELPHIA GAS
6 WORKS OR A DESIGNEE, WHO SHALL BE AN EMPLOYEE OF THE
7 PHILADELPHIA GAS WORKS.

8 ~~(6)~~ (11) One representative of the Philadelphia Building <--
9 Trades. No later than 21 days after the effective date of
10 this section, the President pro tempore of the Senate and the
11 Speaker of the House of Representatives shall jointly submit
12 a list of at least three individuals who qualify for
13 appointment to the task force under this paragraph to the
14 Governor. The Governor shall appoint the member under this
15 paragraph from the list within 14 days of receipt of the
16 list.

17 (b) Chairperson.--The member under subsection ~~(a)(3)(iii)~~ <--
18 (A)(6)(III) shall act as chairperson of the task force until a <--
19 chairperson is selected by a majority vote of the task force at
20 the first meeting of the task force. The member under subsection
21 ~~(a)(3)(iii)~~ (A)(6)(III) shall set the date and time of the first
22 meeting of the task force.

23 (c) Alternates.--Each member of the task force may designate
24 an alternate to attend meetings of the task force, participate
25 in votes of the task force or engage in other task force actions
26 on each member's behalf.

27 (d) Appointments.--If the Governor fails to timely appoint a
28 member under subsection ~~(a)(4), (5) or (6)~~ (A)(8) OR (10), the <--
29 Speaker of the House of Representatives shall make the
30 appointment.

1 (e) Quorum.--The presence of five members of the task force
2 at a meeting shall constitute a quorum of the task force.

3 (f) Majority vote.--An action of the task force shall be
4 authorized or ratified by a majority vote of the task force. The
5 members under subsection (a) (1) ~~and~~, (2), (3), (4) AND (5) shall <--
6 be nonvoting members of the task force and the presence of the
7 members at a meeting of the task force shall not count toward
8 the quorum under subsection (e).

9 (g) Meetings.--The task force shall commence at least three
10 meetings within one year after the effective date of this
11 section. The task force shall commence its first meeting within
12 75 days after the effective date of this section. The
13 chairperson of the task force may commence additional meetings
14 as the chairperson deems necessary. A member of the task force
15 who is not physically present at a meeting of the task force may
16 participate in the meeting by teleconference or video
17 conference.

18 (h) Compensation.--Members of the task force shall not
19 receive compensation for their services as members of the task
20 force.

21 Section 6. Duties of task force.

22 The task force shall have the following duties:

23 (1) Identify and examine the existing obstacles
24 ~~preventing the Port of Philadelphia from becoming an LNG~~ <--
25 ~~export terminal.~~, ECONOMIC FEASIBILITY, ECONOMIC IMPACT AND <--
26 THE SECURITY NECESSITIES THAT WOULD BE INVOLVED WITH MAKING
27 THE PORT OF PHILADELPHIA AN LNG EXPORT TERMINAL.

28 (2) Identify industry partners who are able to assist in
29 making the Port of Philadelphia an LNG export terminal.

30 (3) Develop ~~a plan of action~~ RECOMMENDATIONS for making <--

1 the Port of Philadelphia an LNG export terminal.

2 (4) Hold public meetings to effectuate the task force's
3 duties under this section.

4 (5) Issue a report in accordance with section 7.

5 Section 7. Report.

6 (a) Submission.--No later than one year after the effective
7 date of this section, the task force shall prepare and submit a
8 final report on the task force's activities, findings and
9 recommendations to the Governor, the Senate and the House of
10 Representatives.

11 (b) Adoption of report.--The task force shall adopt the
12 final report under subsection (a) at a public meeting. ANY <--
13 MEMBER OF THE TASK FORCE WHO DISAGREES WITH A PORTION OF THE
14 REPORT SHALL HAVE THE OPPORTUNITY TO INCLUDE A REBUTTAL
15 STATEMENT, AS AN APPENDIX, WITHIN THE REPORT BEFORE THE REPORT
16 IS PUBLISHED ONLINE, TRANSMITTED TO THE GENERAL ASSEMBLY AND THE
17 GOVERNOR OR OTHERWISE MADE A PUBLIC RECORD UNDER SUBSECTION (C).

18 (c) Public record.--The final report under subsection (a)
19 shall be a public record under the act of February 14, 2008
20 (P.L.6, No.3), known as the Right-to-Know Law.

21 Section 8. Effective date.

22 This act shall take effect immediately.